



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICANT(S)	
SERIAL NO.	ATTACHMENT TO PAPER NO.

This application is informal for the reason(s) checked below.

The period within which to correct these informalities and avoid abandonment is set on the attached paper.

1. ☐ The oath (or declaration) is defective for the reason(s) checked below. A DECLARATION (or oath) identifying this application by the above Serial Number and title in compliance with Title 37 Code of Federal Regulations Sec. 1.68 is required.

A. ☐ 37 CFR 1.65 has not been complied with in that:

1. ☐ The terms "original" and/or "first" are omitted.
2. ☐ The clause re "public use," "on sale" or "printed publication" is omitted.
3. ☐ Applicant's citizenship is omitted.
4. ☐ Reference to "sole" or "joint" inventorship has been omitted or has been used improperly.
5. ☐ An improper oath or declaration form has been used.
6. ☐ The date of execution is omitted, incomplete or more than three months prior to filing.
7. ☐ The Notary's signature has been omitted, or is in the wrong place.
8. ☐ The Notary's seal and venue differ or are omitted or the jurat has been omitted (MPEP section 604.02).
9. ☐ The consular certificate has been omitted or is signed by an officer whose identity or authority to sign has been omitted. (see 37 CFR 1.66(a))
10. ☐ The papers are not properly ribboned. The DECLARATION (or oath) required above should refer to the papers as filed.
11. ☐ The declaration clause regarding "...acknowledge a duty to disclose..." as required by 37 CFR 1.65(a)(1) has been omitted.
12. ☐ The reference to the possible earlier filing of an application for an inventors certificate as required by 37 CFR 1.65(a)(1) is omitted.

B. ☐ Permanent ink or its equivalent in quality as required under 37 CFR 1.52(a) has not been used for the

1. ☐ Signature
2. ☐ Oath or declaration
3. ☐ Specification

C. ☐ Non-initialed alterations have been made to the oath or declaration (see 37 CFR 1.52(c) and 1.56).

D. ☐ The declaration clause regarding, "willful false statements..." as required by 37 CFR 1.68 has been omitted.

E. ☐ Other

2. ☒ The papers are defective. Applicant is required to provide:

- A. ☐ A statement over applicant's signature giving his/her complete name "including at least one given name without abbreviation" as required by 37 CFR 1.57.
- B. ☐ Proof of authority of the legal representative under 37 CFR 1.44.
- C. ☐ An abstract in compliance with 37 CFR 1.72(b).
- D. ☐ A properly executed affidavit signed by all of the inventors stating the date on which the unsigned and/or undated alterations to page(s) \_\_\_\_\_ were made. If such changes were made after the date of the oath or declaration, an amendment cancelling these alterations is required.
- E. ☒ A statement over applicant's signature giving his/her complete Post Office Address.
- F. ☐ A statement over applicant's signature giving his/her complete Post Office Address and city and state (or foreign country) of residence.
- G. ☐ A statement giving applicant's correct city and state (or foreign country) of residence. If it is the same as that of his/her Post Office Address, NO FURTHER RESPONSE IS NECESSARY.
- H. ☐ Other

**ENCLOSED:**

- ☐ "General Information Concerning Patents"
- ☐ Copy of a patent to assist applicant in making corrections.
- ☐ Copy of a DECLARATION for completion by applicant.

**Notice of Allowability**

Application No.

09/872,143

Examiner

David Mis

Applicant(s)

PETROVIC ET AL.

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/01/01.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 01 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☒ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

1. The following is an examiner's statement of reasons for allowance: ...  
combining ... delaying ... multiplying ....

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the **ZIP Code** designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Mis whose telephone number is (571)272-1765. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Mis  
Primary Examiner  
Art Unit 2817